

ELECTRONICALLY FILED  
June 13, 2006

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*Counsel for the official Committee of Equity  
Security Holders of USA Capital First Trust  
Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: ) BK-S-06-10725-LBR  
USA COMMERCIAL MORTGAGE COMPANY, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10726-LBR  
USA CAPITAL REALTY ADVISORS, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10727-LBR  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10728-LBR  
USA CAPITAL FIRST TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10729-LBR  
USA SECURITIES, LLC, ) Chapter 11  
Debtor. )

Affects

- ☐ All Debtors  
☐ USA Commercial Mortgage Co.  
☐ USA Securities, LLC  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed  
☒ USA First Trust Deed Fund, LLC

Date: June 21, 2006  
Time: 9:30 a.m.  
Place: Courtroom #1

**MOTION FOR ORDER SHORTENING TIME ON APPLICATION OF OFFICIAL  
COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST  
DEED FUND, LLC FOR ORDER AUTHORIZING EMPLOYMENT AND RETENTION**

**OF ALVAREZ & MARSAL, LLC AS ITS FINANCIAL AND REAL ESTATE ADVISOR**  
**NUNC PRO TUNC TO JUNE 1, 2006**

**(AFFECTS USA FIRST TRUST DEED FUND, LLC)**

**TO THE HONORABLE LINDA B. RIEGLE, UNITED STATES BANKRUPTCY JUDGE:**

The Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "First Trust Deed Committee") appointed in the above-captioned bankruptcy cases (the "Chapter 11 Cases"), hereby moves this Court (the "Motion") for an order shortening time on the Application of official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC for Order Authorizing Employment and Retention of Alvarez & Marsal, LLC as its Financial and Real Estate Advisor Nunc Pro Tunc to June 1, 2006 (the "Application").

In support of its Motion, the First Trust Deed Committee respectfully represents as follows:

1. On April 13, 2005 (the "Petition Date"), USA Commercial Mortgage Company ("USA Mortgage"), USA Securities, LLC ("USA Securities"), USA Capital Realty Advisors, LLC ("USA Realty"), USA Capital Diversified Trust Deed Fund, LLC ("USA Diversified"), and USA Capital First Trust Deed Fund, LLC ("USA First" and, collectively with USA Mortgage, USA Securities, USA Realty, and USA Diversified, the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code").

2. The Debtors continue to operate their businesses as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. On May 10, 2006, the United States Trustee appointed the official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "Committee"), to represent the interests of the investors in that entity (the "Investors") throughout the administration of the estate.

4. On May 26, 2006, the Committee approved its bylaws (the "Bylaws").

1           5.     This Bankruptcy Case has already presented many issues of financial  
2 complexity, and these issues are only expected to increase.

3           6.     The Committee requires significant financial advise and counsel in order  
4 to determine the Debtor's accurate financial and operational condition, the evaluation of  
5 accounting analyses prepared by the Debtor, and other financial services relating to the  
6 administration and the development of the Bankruptcy Case.

7           7.     In its Amended Order Establishing Case Management Procedures  
8 entered on May 17, 2006, the Court set Omnibus Hearing Dates for all matters relating to the  
9 Bankruptcy Case. The next Omnibus Hearing Date following the June 21, 2006 hearing date is  
10 set for July 25, 2006. However, the need for comprehensive financial advice and services is  
11 immediate and cannot wait until the July 25 Omnibus Hearing Date.

12           8.     For these reasons, it is respectfully requested that the Court set the  
13 Motion for hearing on Shortened Time to be heard on the June 21, 2006 Omnibus Hearing  
14 Date.

15           Respectfully submitted this 13th day of June, 2006.

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              /s/ Eve H. Karasik

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